



MIKE DRISCOLL  
county attorney

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June 6, 1994 I.D.#

1001 Preston, Suite 634  
Houston, Texas 77002-1891  
713/755-5101  
Fax# 713/755-8924

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Hon. Dan Morales  
Attorney General of Texas  
Supreme Court Building  
P.O. Box 12548  
Austin, Texas 78711-2548

RECEIVED

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Attention: Sarah J. Shirley  
Chairman, Opinion Committee

Opinion Committee

RE: 1. WHAT CRITERIA SHOULD THE COMMISSIONERS COURT USE WHEN CALCULATING THE FEES TO BE CHARGED TO NONGOVERNMENTAL ASSOCIATIONS FOR LAW ENFORCEMENT SERVICES PURSUANT TO TEX. LOC. GOV'T CODE ANN. § 351.062?

2. MAY THE COMMISSIONERS COURT GIVE THE NONGOVERNMENTAL ASSOCIATIONS "CREDIT" AGAINST SUCH FEES FOR ANY REVENUES GENERATED BY THE CONTRACT DEPUTIES WHILE PERFORMING THE LAW ENFORCEMENT CONTRACT SERVICES, SUCH AS REVENUES ACTUALLY RECEIVED FROM TRAFFIC CITATIONS?

3. MAY THE COMMISSIONERS COURT CONSIDER THE INDIRECT/INTANGIBLE VALUES OF INCREASED LAW ENFORCEMENT SERVICES, SUCH AS REDUCED TRAUMA CARE AND COMMUNITY PEACE OF MIND, WHEN DETERMINING THE FEES TO BE IMPOSED UNDER §351.062?

Ladies and Gentlemen:

Tex. Loc. Gov't Code Ann. §351.061 authorizes the commissioners court of a county to contract with nongovernmental associations for the provision of law enforcement services by the county on a fee basis.

Tex. Loc. Gov't Code Ann. § 351.062 (a) provides that the commissioners court shall determine the amount of the fee charged for said services and that such fee must recover 100 percent of the cost to the county for supplying law enforcement services, including

Hon. Dan Morales

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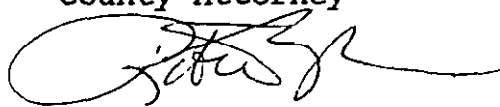
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salaries, and any additional expenses the county may incur in providing the services. The Harris County Commissioners Court has requested advice on the above-referenced questions.

Please furnish us with your opinion on the questions presented. A Memorandum Brief is enclosed.

Sincerely,

MIKE DRISCOLL  
County Attorney

A handwritten signature in black ink, appearing to read 'Roberta A. Lloyd', written over a horizontal line.

By ROBERTA A. LLOYD  
Assistant County Attorney

MD:RAL  
Enclosure